

**COURT OF APPEAL  
STATE OF CALIFORNIA  
THIRD APPELLATE DISTRICT**

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**The Minutes**

**February 7, 2005**

- CO45507      THE PEOPLE v. DIXON      (Not for Publication)**  
The judgment is modified... As modified, the judgment is affirmed.  
HULL, J.  
We Concur: Raye, Acting P.J.  
Morrison, J.
- CO46278      THE PEOPLE v. MORA      (Not for Publication)**  
The judgment is modified... As modified, the judgment is affirmed.  
CANTIL-SAKAUYE, J.  
We Concur: Scotland, P.J.  
Sims, J.
- CO45867      CARNES v. THE SUPERIOR COURT OF PLACER COUNTY      (Certified for Partial Publication)**  
The judgment is reversed. The trial court is directed to vacate its order granting the motion for summary judgment and enter a new order granting the motion for summary adjudication as to the causes of action for discrimination, failure to reasonably accommodate, and retaliation, but denying the motion for summary adjudication as to the cause of action for harassment for the reasons stated in this opinion. Plaintiff shall recover her costs on appeal. (Cal. Rules of Court, rule 27(a).)  
ROBIE, J.  
We Concur: Sims, Acting P.J.  
Raye, J.

**February 8, 2005**

- C040014      THE PEOPLE v. BREWER      (Not for Publication)**  
The judgment is affirmed.  
MORRISON, J.  
We Concur: Scotland, P.J.  
Sims, J.
- C042532      THE PEOPLE v. JOHNSON      (Not for Publication)**  
The judgment is affirmed.  
DAVIS, J.  
We Concur: Scotland, P. J.  
Sims, J.

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DAVIS, Acting P.J.

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**The Minutes**

**February 9, 2005**

- C043044      THE PEOPLE v. JOHNSON      (Not for Publication)**  
The one-year enhancements for use of a deadly weapon imposed on counts V and VI are stricken. The superior court is directed to prepare an amended abstract of judgment reflecting this modification and forward a copy thereof to the Director of the Department of Corrections. As modified, the judgment is affirmed.  
BLEASE, Acting P.J.  
We Concur: Raye, J.  
Robie, J.
- C043615      THE PEOPLE v. BARRERAS      (Not for Publication)**  
The judgment is affirmed. The trial court is directed to correct the abstract of judgment to list the defendant's first name as Celso and the year of the offense as 2000 and forward a certified copy of the amended abstract to the Department of Corrections.  
BLEASE, Acting P.J.  
We Concur: Davis, J.  
Butz, J.
- C044026      THE PEOPLE v. LYNOTT      (Not for Publication)**  
The judgment is affirmed.  
SCOTLAND, P.J.  
I respectfully dissent...  
Blease, J.  
I concur, except as to Part III, in which I concur in the result...  
Davis, J.
- C044129      THE PEOPLE v. CUSHMAN, JR. et al.      (Not for Publication)**  
The judgments are affirmed.  
BLEASE, Acting P.J.  
We Concur: Morrison, J.  
Butz, J.
- C044170      THE PEOPLE v. PARRIS      (Not for Publication)**  
The judgment is affirmed.  
NICHOLSON, Acting P.J.  
We Concur: Hull, J.  
Butz, J.

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STATE OF CALIFORNIA  
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**The Minutes**

**February 9, 2005, continued**

- C044600      THE PEOPLE v. McCULLEN      (Not for Publication)**  
The judgment is affirmed.  
Raye, J.  
We Concur:    Sims, Acting P.J.  
Butz, J.
- C044684      THE PEOPLE v. MARTHELL      (Not for Publication)**  
The judgment is modified to stay the 15-year sentence in count 4, and is affirmed as modified.  
BLEASE, Acting P.J.  
We Concur:    Davis, J.  
Butz, J.
- C047274      THE PEOPLE v. BOULWARE      (Not for Publication)**  
The order of recommitment is affirmed.  
BLEASE, Acting P.J.  
We Concur:    Davis, J.  
Butz, J.
- C047329      THE PEOPLE v. VOSS      (Not for Publication)**  
The judgment is affirmed.  
CANTIL-SAKAUYE, J.  
We Concur:    Raye, Acting P.J.  
Robie, J.
- C047653      THE PEOPLE v. O'DANIEL      (Not for Publication)**  
The judgment is affirmed.  
BLEASE, Acting P.J.  
We Concur:    Nicholson, J.  
Cantil-Sakauye, J.
- C047864      THE PEOPLE v. VANG      (Not for Publication)**  
The judgment is affirmed.  
CANTIL-SAKAUYE, J.  
We Concur:    Raye, Acting P.J.  
Robie, J.
- C045711      RIVERLAKE COMMUNITY ASSOCIATION v. CITY OF SACRAMENTO et al.      (Not for Publication)**  
The judgment is affirmed. The City is awarded its costs on appeal.  
HULL, J.  
We Concur:    Blease, Acting P.J.  
Butz, J.

**COURT OF APPEAL  
STATE OF CALIFORNIA  
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**The Minutes**

**February 9, 2005, continued**

**C046351 REIS v. BIGGS UNIFIED SCHOOL DISTRICT**  
**(CERTIFIED FOR PUBLICATION)**  
That part of the judgment concluding that Reis has obtained permanent status in his .43 FTE position is reversed. In all other respects, the judgment is affirmed. Each party shall pay its own costs on appeal. (Cal. Rules of Court, rule 27(a).) **(CERTIFIED FOR PUBLICATION.)**  
DAVIS, Acting P.J.  
I concur: Nicholson, J.  
I concur in parts 1, 2A, and 3 of the Discussion of this opinion... As to the remainder of part 2B, however, I respectfully dissent...  
Robie, J.

**C045460 KOHANE-TAYLOR v. TAYLOR**  
**BY THE COURT:**  
Appellant's petition for rehearing is denied.  
BLEASE, Acting P.J.

**February 10, 2005**

**C043910 THE PEOPLE v. HOWIE** **(Not for Publication)**  
The judgment is affirmed.  
SIMS, Acting P.J.  
We Concur: Raye, J.  
Robie, J.

**C044405 THE PEOPLE v. NUNEZ** **(Not for Publication)**  
The judgment is affirmed.  
SCOTLAND, P.J.  
We Concur: Nicholson, J.  
Raye, J.

**C044902 THE PEOPLE v. LUNA** **(Not for Publication)**  
The matter is remanded to the trial court for resentencing on the prior prison term enhancements. In all other respects, the judgment is affirmed.  
SIMS, Acting P.J.  
We Concur: Nicholson, J.  
Robie, J.

**C044996 THE PEOPLE v. McELROY** **(Certified for Publication)**  
The judgment is affirmed.  
SIMS, Acting P.J.  
We Concur: Nicholson, J.  
Robie, J.

**COURT OF APPEAL  
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**The Minutes**

**February 10, 2005, continued**

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| <b>C045213</b> | <b>THE PEOPLE v. BRANSOM</b><br>The judgment is affirmed.<br>SIMS, Acting P.J.<br>We Concur: Raye, J.<br>Butz, J.   | <b>(Not for Publication)</b>               |
| <b>C045360</b> | <b>THE PEOPLE v. BOGGESS</b><br>The judgment is affirmed.<br>SIMS, J.<br>We Concur: Scotland, P.J.<br>Butz, J.  | <b>(Not for Publication)</b>               |
| <b>C045719</b> | <b>THE PEOPLE v. HEAD</b><br>The judgment is affirmed.<br>RAYE, J.<br>We Concur: Blease, Acting P.J.<br>Hull, J.  | <b>(Not for Publication)</b>               |
| <b>C045729</b> | <b>THE PEOPLE v. JIMMY T.</b><br>The trial court shall issue a second amended judgment of commitment stating that defendant's two-year term of commitment shall commence on November 20, 2003, and shall expire on November 19, 2005. In all other respects, the judgment of commitment is affirmed.<br>Blease, Acting P.J.<br>We Concur: Nicholson, J.<br>Hull, J. | <b>(Not for Publication)</b>               |
| <b>C046360</b> | <b>THE PEOPLE v. LONG</b><br>The judgment is affirmed.<br>ROBIE, J.<br>We Concur: Davis, Acting P.J.<br>Hull, J.  | <b>(Certified for Partial Publication)</b> |
| <b>C046376</b> | <b>THE PEOPLE v. WOODRAL</b><br>The judgment is affirmed.<br>Blease, Acting P.J.<br>We Concur: Nicholson, J.<br>Hull, J.  | <b>(Not for Publication)</b>               |

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**The Minutes**

**February 10, 2005, continued**

- C047204      THE PEOPLE v. ESPINOZA      (Not for Publication)**  
The judgment is affirmed.  
DAVIS, J.  
We Concur:    Blease, Acting P.J.  
                 Butz, J.
- C047599      THE PEOPLE v. THOMAS      (Not for Publication)**  
The judgment (order extending the commitment) is affirmed.  
RAYE, J.  
We Concur:    Robie, J.  
                 Cantil-Sakauye, J.
- C045786      MATTOX v. STEPHEN P. TEALE DATA CENTER      (Not for Publication)**  
The judgment entered October 6, 2003, on Teale's motion for summary judgment is affirmed. The postjudgment order entered December 4, 2003, on Teale's motion for attorney fees is reversed, and the case is remanded to the trial court with instructions to vacate its order granting Teale's motion for attorney fees and enter a new order denying that motion. The parties shall bear their own costs on appeal. (Cal. Rules of Court, rule 27(a).)  
ROBIE, J.  
We Concur:    Hull, Acting P.J.  
                 Butz, J.
- C046167      STOCKTON PETROLEUM COMPANY v. HENDRIX et al.      (Not for Publication)**  
The judgment is affirmed. Plaintiff shall receive its costs on appeal. (Cal. Rules of Court, rule 27(a).)  
SIMS, Acting P.J.  
We Concur:    Davis, J.  
                 Robie, J.
- C046430      EDMONDS et al. v. COUNTY OF SAN JOAQUIN      (Not for Publication)**  
The judgment is affirmed. The County shall recover its costs on appeal. (Cal. Rules of Court, rule 27(a).)  
Robie, J.  
We Concur:    Nicholson, Acting P.J.  
                 Hull, J.

